

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**JOHN T. LAMONT and PRESTON  
POULTER,**

*Plaintiffs,*

**VS.**

**CASE: 3:21-CV-1176-K**

**ALI “DEAN” ASSAF A/K/A DA TALK;  
VICTORIA KUNDERT A/K/A  
VIKKIVERSE, AND ETHAN VAN  
SCIVER,**

*Defendants.*

**Honorable District Judge Ed Kinkeade**

**MOTION TO WITHDRAW AS ATTORNEY OF RECORD  
(WITH CONSENT)**

**TO THE HONORABLE JUDGE OF SAID COURT:**

COMES NOW, The Fein Law Firm, P.C., and attorneys Eric D. Fein and Vickie S. Brandt for PRESTON POULTER and JOHN T. LAMONT and request permission to withdraw from representing Preston Poulter and John T. Lamont and would respectfully show the Court as follows:

1. Good cause exists for counsel's withdrawal from representation of Preston Poulter and John T. Lamont. The Clients asked that counsel no longer represent them and withdraw as attorneys of record.
2. Local Rule 83.12 mandates that a motion to withdraw "must . . . specify the reasons requiring withdrawal and provide the name and address of the succeeding attorney. If the succeeding attorney is not known, the motion must set forth the name, address, and telephone number of the client and either bear the client's signature approving withdrawal or state

specifically why, after due diligence, the attorney was unable to obtain the client's signature."

3. At this time no succeeding attorney has been identified. The Plaintiffs may elect to proceed *Pro Se*.

4. Plaintiffs' full contact information will be provided in **Exhibit A** as a Sealed Document since the information is confidential and because of the personal safety concerns of the Plaintiffs as expressed in the Amended Complaint.

5. Counsel believes that withdrawal is necessary because the Clients and the attorneys have differences with respect to how to proceed with the case, and the Clients have expressed a desire to manage the case in a different manner. Further, the Clients have agreed to the withdrawal as signified with their signatures below.

6. Counsel has met the requirements of Local Rule 83.12. An attorney may withdraw from representation upon leave of the court and a showing of good cause and reasonable notice to the client. *In re Wynn*, 889 F.2d 644, 646 (5th Cir. Tex. 1989). Counsel has provided good cause and reasonable notice to the Clients.

7. The case is still in its infancy and the withdrawal should not prejudice either the Clients nor the Defendants who have yet to be served. No Scheduling Order has been issued.

8. A copy of this motion has been delivered to the Clients via First Class Mail and E-Mail.

## **II. PRAYER**

**WHEREFORE**, THE FEIN LAW FIRM, P.C., and attorneys Eric D. Fein and Vickie S. Brandt respectfully request that the Court grant its motion to withdraw as attorney of record for Plaintiffs.

Respectfully submitted,

**THE FEIN LAW FIRM, P.C.**

By: /S/ Eric D. Fein

Eric D. Fein

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***ATTORNEYS FOR PLAINTIFFS***

**CONSENT TO WITHDRAWAL**

\_\_\_\_\_  
Preston Poulter

Date: \_\_\_\_\_

\_\_\_\_\_  
John T. Lamont

Date: \_\_\_\_\_

\_\_\_\_\_

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document was forwarded via ECF Filing, E-Serve, and E-Mail, and/or Certified Mail, Return Receipt Requested, First Class Mail, Facsimile, and/or Hand Delivery to the Clients on \_\_\_\_\_ June 2021.

/s/ Eric D. Fein  
Eric D. Fein